

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 4150

IN THE MATTER OF:

Served August 13, 1993

Investigation of Failure to File)
Annual Report and Order to Show)
Cause Why Operating Authority)
Should not be Suspended or Revoked,)
Directed to: BETHANY TRAVEL)
AGENCY, INC., Trading as BETHANY)
TRAVEL AND LIMOUSINE SERVICE)
(No. 185))

Case No. MP-93-28

This proceeding was initiated on June 15, 1993, by Order No. 4111, as amended July 1, 1993, by Order No. 4118. Bethany Travel Agency, Inc., trading as Bethany Travel and Limousine Service (Bethany), was directed to pay a \$250 assessment and appear at a hearing scheduled for July 15, 1993, to show cause why its certificate should not be suspended or revoked. In lieu of paying the assessment and appearing at the hearing, Bethany was permitted to pay a \$100 civil forfeiture and file its annual report on or before July 9, 1993.

Bethany's certificate was automatically suspended at 12:01 a.m., July 16, 1993, for failure to respond to Order Nos. 4111 and 4118 on or before July 15, 1993. Bethany submitted an incomplete annual report and a check for \$100 on July 16. Bethany filed a completed report on July 21. The Executive Director accepted Bethany's late-filed report as revised and issued Order No. 4141 "For the Commission," lifting the suspension but continuing the proceeding for a final determination.¹

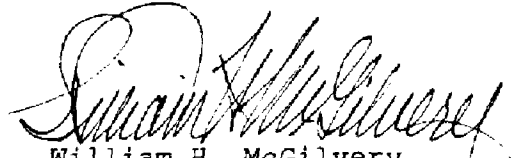
Three other carriers, Ironsides Medical Transportation Corporation, David C. Pearson, trading as E&H Transportation Co., and C&M Corporation, were scheduled to attend the hearing with Bethany, but they did not appear. Those three and Bethany are responsible for the hearing costs by virtue of not responding to Order Nos. 4111 and 4118 by noon of the day preceding the hearing.² The Commission's records show that the cost of the hearing was \$250. Each carrier's share, therefore, is \$62.50.

¹ The Executive Director has authority under Commission Regulation No. 7-05 to extend filing deadlines for good cause. See e.g., In re Automated Business Sys. & Servs., Inc., No. MP-93-25, Order No. 4136 (July 14, 1993) (report and forfeiture submitted and accepted July 14, 1993, terminating proceeding).

² In re Statement of Policy Regarding Hearing Officer Expenses, General Order No. 21 (Oct. 3, 1983).

THEREFORE, IT IS ORDERED that Bethany Travel Agency, Inc., trading as Bethany Travel and Limousine Service, shall tender to the Commission on or before Monday, August 30, 1993, a check or money order in the amount of \$62.50 made payable to WMATC, thereby terminating Case No. MP-93-28.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS DAVENPORT, SCHIFTER, AND SHANNON:



William H. McGilvery
Executive Director